



UNITED STATES PATENT AND TRADEMARK OFFICE

UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY AND
DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, DC 20231
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AT34

Edward Langer
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Empire State Building, 60th Floor
New York, NY 10118

MAILED

OCT 3 4 2002

In re application of
Mordechai Hammer
Application No. 08/894,211
Filed: July 30, 1997
For: EXTENSIBLE AND RETRACTABLE
ELEMENTS AND VARIOUS USES FOR
THE ELEMENTS

Office of the Director
Group 3600

DECISION ON REQUEST
FOR WITHDRAWAL OF
ATTORNEY

This is a decision on the request filed on September 18, 2002, under 37 CFR 1.36 and MPEP 402.06, requesting permission to withdraw as the attorney of record in the above-identified application.

The request is **NOT APPROVED**.

Under 37 CFR 1.36 an attorney may withdraw only upon application to and approval by the Commissioner. It should be noted that a withdrawal is effective when approved, not when filed. For approval of such a request the following conditions must be met:

- A) Each attorney of record must sign the notice of withdrawal, or the notice must contain a clear indication of one attorney signing on behalf of another, because the Office does not recognize law firms;
- B) There must be at least 30 days between approval of the withdrawal and the later of the expiration date of a time period for reply or the expiration date of the period which can be obtained by a petition and fee for extension of time under 37 CFR 1.136(a);
- C) A proper reason for the withdrawal as enumerated in 37 CFR 10.40(b) or subsection (1)-(6) of 37 CFR 10.40(c) must be provided;
- D) The applicant or patent owner must have been notified of the withdrawal as provided for in 37 CFR 1.36.

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The request to withdraw as attorney is not accepted in the above-identified application because the request lacks conditions (A) and (D) above. There is no indication that Edward Langer is signing on behalf of the other attorneys originally appointed. Also, there is no indication that the applicant or owner was notified.

Kenneth J. Dorner
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Rjb:10/8/02

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